



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Status Hearing

DOD: 10-7-06	<p>DORIS ELAINE RACKLEY, Sister, was appointed Administrator with Full IAEA without bond and Letters issued on 8/28/07.</p> <p>On 11/15/13, the Court removed Doris Rackley and appointed the PUBLIC ADMINISTRATOR.</p> <p>Status report filed 9/25/15 states Irene's estate cannot be closed until Herbert's closes. The hearing on Herbert's estate was continued to 11/16/15. The Public Administrator anticipates distribution of the property in kind from Herbert's estate and the interest sold in Irene's estate.</p> <p>The PA respectfully requests the next status hearing be set no sooner than four months from the date of this hearing to allow time for administration after distribution from Herbert's estate.</p> <p>Status report filed 1/22/16 states the PA had hoped to have the account filed in Herbert Hamby's estate, but has further issues to resolve. The PA requests that the next status hearing be set no sooner than four months from the date of this hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need petition for final distribution.</p> <p>Note: The petition for final distribution in the related estate has been filed and set for 6/27/16.</p>		
Cont. from 111513, 022114, 061314, 092914, 033015, 092815, 012516				
Aff.Sub.Wit.				
Verified				
Inventory				
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Notice of Hrg				
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CI Report				
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Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
		Reviewed by: skc		
		Reviewed on: 5/17/16		
		Updates:		
		Recommendation:		
		File 1 – Hamby		

2

Herbert C. Hamby (Estate)

Case No. 07CEPR00788

Atty Kruthers, Heather (for Public Administrator)

Atty Rackley, Elaine (Pro Per Administrator with Will Annexed)

Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

DOD: 9-6-05		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR First and Final Account filed 5/13/16 is set for hearing on 6/27/16
Cont. from 092013, 111513, 022114, 061314, 092914, 033015, 060115, 072715, 092115, 111615, 012516		
Aff.Sub.Wit.		
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Video Receipt		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed on: 5/17/16
		Updates:
		Recommendation:
		File 2 – Hamby

Attorney Jennifer L. Walters; Lisa M. Horton (for Petitioner Maria Alvarez-Garcia, Trustee)

Fourth Account Current and Report of Trustee; Petition for Its Settlement; for Allowance of Attorneys Fees and Costs Advanced; and for Reimbursement of Costs Advanced by Trustee

		MARIA ALVAREZ-GARCIA , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need original bank account statements as of the close of accounting period pursuant to Probate Code § 2620(c), filed in a separate affidavit in accordance with Probate Code § 2620(c)(7). 2. Need Order for Withdrawal of Funds from Blocked Account for the payment of the requested attorney fees, reimbursement to Petitioner, and van repairs, if approved.
		Account period: 11/19/2014 – 12/15/2015	
		Accounting - \$192,797.19	
		Beginning POH - \$177,818.06	
		Ending POH - \$186,766.68	
Cont. from		(\$154,943.10 is cash in blocked account)	
	Aff.Sub.Wit.		
✓	Verified	Trustee - waives	
	Inventory		
	PTC	Trustee Expenses - \$2,370.56	
	Not.Cred.	(see below; for van maintenance and repairs; receipts attached at Exhibit C;)	
✓	Notice of Hrg	Attorney - \$2,961.50	
✓	Aff.Mail	(for services from 12/23/2014 to 3/31/2016; for .70 hours @ \$245/hour totaling \$171.50; and 12.4 hours @ \$225/hour totaling \$2,790.00;)	
	Aff.Pub.		
	Sp.Ntc.	Attorney Costs - \$435.00	
	Pers.Serv.	(filing fee)	
	Conf. Screen	Petitioner requests reimbursement of expenses for van maintenance and repair, and for additional funds from the trust for further repair, based upon the following:	
	Letters	<ul style="list-style-type: none"> • She is the Beneficiary's grandmother and receives no financial help or assistance from the Beneficiary's father or his mother; 	
	Duties/Supp	<ul style="list-style-type: none"> • She pays the majority of the Beneficiary's food, hygiene necessities, clothing, entertainment, school supplies, etc., from her own personal funds; 	
	Objections	<ul style="list-style-type: none"> • Petitioner also paid for a majority of the regular maintenance and repairs on the van, which is a Trust asset (shown on Schedule E); 	
	Video Receipt	<ul style="list-style-type: none"> • Between 8/2013 and 11/2015, Petitioner paid a total of \$2,370.56 in maintenance and repairs on the van as shown in Exhibit C, and she requests reimbursement of that sum; 	
	CI Report	<ul style="list-style-type: none"> • Petitioner received an invoice of \$3,005.55 for further van repairs needed, including new tires (\$952.31) (copy attached as Exhibit D), and requests a total of \$3,957.86 for the necessary repairs and new tires on the van. 	
	2620	X	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

~Please see additional page~

Reviewed by: LEG
Reviewed on: 5/17/16
Updates:
Recommendation:
File 4- Carbajal

Petitioner prays for an Order:

1. Approving, allowing and settling the Fourth Account and Report of the Trustee;
2. Approving all acts and transactions of the Trustee as set forth in the report;
3. Authorizing payment of the attorney fees and cost reimbursement;
4. Authorizing reimbursement to Petitioner for the **\$2,370.56** she paid for necessary repairs and maintenance for the Trust; and
5. Authorizing Petitioner to withdraw the sum of **\$3,957.86** from the blocked account for the necessary repairs and new tires on the van.

Note: Court will set a status hearing in one of the following alternatives:

- **Thursday, February 16, 2017 at 9:00 a.m. in Dept. 303** (1-year account) for filing of the 5th account;

OR

- **Thursday, February 22, 2018 at 9:00 a.m. in Dept. 303** (2-year account) for filing of the 5th account.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.

Atty Fanucchi, Edward L. (for Gerald Ishii – Beneficiary – Petitioner)
Atty Burnside, Leigh W. (for Leslie Ishii – Co-Trustee – Respondent)

Probate Status Hearing RE: Settlement

		<p>GERALD ISHII, Beneficiary and Co-Trustee, filed Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs on 5/17/12. The petition was set for hearing on 7/2/12.</p> <p>LESLIE ISHII, Beneficiary and Co-Trustee, filed Objection on 6/21/12.</p> <p>The hearing on 7/2/12 was continued numerous times, and after numerous status and settlement hearings, at the settlement conference hearing on 1/5/15, the parties represented that they are working on agreement, and the Court set this status hearing re the agreement for 4/13/15.</p> <p>The status hearing re the agreement was then continued to 4/13/15, 7/13/15, and finally 10/19/15. On 10/19/15, the Court set an Order to Show Cause hearing for 11/30/15 as to Gerald Ishii as to why he should not be removed as co-trustee for failure to resolve the matter and to Edward L. Fanucchi as to why he should not be sanctioned for his failure to appear.</p> <p>Minute Order 11/30/15 states The agreement has been forwarded to Ms. Burnside, who needs additional time to review it. The orders to show cause are vacated.</p> <p>Status Declaration of Leigh W. Burnside filed 1/21/16 states she sent a revised draft agreement to Mr. Kelly for review on 12/1/15. She subsequently learned of additional changes and sent a further revised draft on 12/29/15. Mr. Kelly responded on 1/13/16 that his client did not have substantive changes but they were waiting on additional input from the accountant. Likewise, Ms. Burnside is also waiting for additional information from her client's accountant regarding a proposed easement that the parties have apparently discussed. She believes the remaining issues are not substantial and the agreement is in close-to-final form.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 1/25/16:</u> Counsel requests additional time.</p>
Cont. from 012516			
Aff.Sub.Wit.			
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FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 5/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5- Ishii</p>	

Status Re: Opening Probate for Distribution as Contemplated in the Settlement Agreement

DOD: 10/3/12	Estate History:	NEEDS/PROBLEMS/ COMMENTS:
Cont. from 042516	MICHELLE K. JOHNSON , Daughter, filed a Petition for Letters of Administration on 1/22/13. The petition estimated personal property valued at \$47,000 and real property valued at \$150,000 (total est. estate value \$197,000).	<u>Minute Order 4/25/16:</u> Counsel argues that there is no need for probate as the §850 petition was filed and settled. If the Court decides to dismiss the matter before the status hearing, then no appearance will be necessary on 5/23/16.
Aff.Sub.Wit.		
Verified		
Inventory	Minute Order 2/21/13 (hearing on Petition for Letters of Administration) stated: Mr. Russo is appearing for Christine Reynolds, a beneficiary. Mr. Russo informs the Court that he has just been retained and is in possession of Will and trust documents . Ms. Cunningham contests the Will and Trust indicated by Mr. Russo. Mr. Russo informs the Court that he will be filing a petition. Parties agree that this matter will be continued to the date agreed upon by all counsel once Mr. Russo's petition is filed.	As of 5/17/16, the following issue remains noted:
PTC		
Not.Cred.		
Notice of Hrg	On 4/9/13, Ms. Johnson also filed a Petition for findings of Financial Elder Abuse, Conversion, and Recovery of Estate Property (Prob. Code §850) .	<u>SEE ADDITIONAL PAGES</u>
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	CHRISTINE REYNOLDS , respondent and friend of decedent, filed an Objection to the Petition for finding of Elder Abuse, etc., on 7/2/13.	
Duties/Supp		
Objections	On 7/8/13, the 850 petition was set for settlement conference.	
Video Receipt		
CI Report	On 1/7/14, Ms. Reynolds filed an Ex Parte Petition for Letters of Special Administration, which was granted on 1/7/14 . Order authorized Ms. Reynolds to obtain financial account statements. The order expired 4/7/14.	Reviewed by: skc
9202		Reviewed on: 5/17/16
Order		Updates:
Aff. Posting		Recommendation:
Status Rpt	Later, on 6/9/14, Ms. Johnson filed a Petition for Letters of Special Administration for the same purpose . At hearing on 7/16/14, the petition was granted for the limited purpose of securing information regarding accounts in the decedent's name. The order expired 10/16/14.	File 6- Smith
UCCJEA		
Citation		
FTB Notice	<u>SEE ADDITIONAL PAGES</u>	

Page 2

At status hearing re special administration on 10/16/14, the matter was set for settlement conference and trial. Minute Order of 10/6/15 states that a written agreement is signed in open court and the Court ordered that the settlement and release signed today will constitute the settlement of all outstanding issues with regard to this estate. Ms. Cunningham to file a copy of the agreement. Trial vacated.

On 10/6/15, Notice of Settlement was filed. The Settlement and Release Agreement provides that the parties agree to sell the house and divide the proceeds. In addition, Ms. Johnson will receive all remaining proceeds from the sale of the decedent's insurance company, estimated at \$25,000, and all personal property and vehicle currently held in Ms. Reynolds' name. The parties agree that "Petitioner shall cause the Action to be dismissed with prejudice" within 10 days after close of escrow.

Note: On 2/26/16, Attorney Nuttall substituted out as Ms. Reynolds' attorney of record.

On 3/10/16, Ms. Johnson submitted a Request for Dismissal of the entire action. Dismissal was not entered because upon review of the settlement agreement, it appeared that the parties had agreed to sale and distribution of assets, but the estate had never been formally opened for authority to do so. Therefore, the Court set this status hearing and sent notice to Ms. Johnson's attorney.

On 4/12/16, a second Request for Dismissal of the Petition for Letters of Administration was filed. Again, dismissal was not entered because this status hearing was upcoming.

Status Report filed 4/18/16 by Attorney Ryan Marshall of McCormick Barstow states: Although a substitution of attorney has not been received by Petitioner's counsel, he is informed and believes that Respondent Christine Reynolds is currently in pro per. Petitioner's counsel is unaware of her address, so this report was served to Attorney Nuttall. This matter initially settled on 10/6/15 and the agreement was reduced to writing. The agreement addressed distribution of the vehicle, the remaining proceeds from the decedent's business, the procedure for preparing the residence occupied by Respondent to be sold, the division of the residence sale proceeds, and Petitioner taking possession of certain personal property from the residence. Pursuant to the settlement agreement, Petitioner took possession of the personal property, the vehicle, and the business sale proceeds. The residence was sold in January 2016. A further agreement was reached on or about 2/16/16 re allocation of sale proceeds. See attached. Petitioner and Respondent were issued checks from the office of Petitioner's counsel. As a result of the performance of the settlement agreement and subsequent agreement on proceeds allocation, there are no assets to be distributed, and any necessity to open a probate has been negated. Based on the foregoing, Petitioner requests the Court dismiss this matter in its entirety, with prejudice, without further appearance of counsel.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. Need authority for distribution of assets pursuant to the settlement agreement including real and personal property with a total estimated estate value of approx. \$200,000 without administration under §8000, appointment of a personal representative, notice to creditors, notice to agencies including Dept. of Health Care Services and the CA Franchise Tax Board per §9202, inventory and appraisal, and final account or waiver thereof.

Although the parties reached a settlement for ultimate distribution, such distribution does not appear appropriate given the above-noted facts.

Petitioner Ortiz Sr., Alex (Pro Per – Father)

Petition for Visitation

Alex age: 6 years		ALEX ORTIZ, SR., Father, is petitioner. <u>Please see petition for details</u>	NEEDS/PROBLEMS/COMMENTS:	
Julian age: 4 years				
Cont. from				
	Aff.Sub.Wit.			
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	Video Receipt			
	CI Report			
	9202			
	Order	x		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: LV	
			Reviewed on: 05/18/2016	
			Updates:	
			Recommendation:	
			File 7- Ortiz	

Petitioner: Bryan Lamb (Pro per – Father)

Petition for Termination of Guardianship (JEMMA only)

		BRYAN LAMB, father is petitioner	NEEDS/PROBLEMS/COMMENTS:
		JACQUELINE LAMB, paternal grandmother, was appointed guardian of the person of Jemma Lamb on 3/26/2015.	This petition is for <u>JEMMA</u> only.
Cont. from 041116		Court Investigator report filed 4/5/2016.	<u>Minute order dated 4/11/2016</u> states examiner notes were provided in open court and matter was continued to 5/23/2016.
	Aff.Sub.Wit.		
✓	Verified		1. Need Notice of Hearing. 2. Need proof of mailed service at least 15 days before the hearing of <i>Notice of Hearing</i> <u>or</u> consents to termination and waiver of notice <u>or</u> declarations of due diligence for: <ol style="list-style-type: none"> Tiffany Perez (mother) Edward Thomas (paternal grandfather) Jimmy Perez (maternal grandfather) Carlotta Marquez (maternal grandmother)
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
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	Pers.Serv.		
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	Letters		
	Duties/Supp		
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	Video Receipt		
✓	CI Report		
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✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 5/17/2016
			Updates:
			Recommendation:
			File 8- Perez & Lamb

		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> <u>Order Settling First and Final Account filed 01/28/2016</u>
Cont. from		
Aff.Sub.Wit.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 05/17/2016
		Updates:
		Recommendation:
		File 9- Breeden

Abigail, 2	YAMIRA ORTIZ-CRUZ, mother, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
Deborah, 1			
	MAYRA PEREIRA and MAYRA HERNANDEZ, maternal aunt and maternal grandmother, were appointed Guardians on 08/25/2015. Petitioners consent and waive notice.		1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination for: <ul style="list-style-type: none"> Wilfredo Cruz (Maternal Grandfather)
Cont. from			
Aff.Sub.Wit.			
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FTB Notice			
			Reviewed by: LV
			Reviewed on: 05/17/2016
			Updates:
			Recommendation:
			File 11- Moran

Attorney

Jennifer L. Walters (for Robert Hudson and Mary Ann Hudson, Co-Administrators)

Probate Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 9/7/2015		ROBERT HUDSON and MARY ANN HUDSON , parents, were appointed Co-Administrators with Full IAEA authority without bond on 1/25/2016. Letters issued on 1/28/2016. Pursuant to Probate Code § 8800(b) , <i>Final Inventory and Appraisal</i> was due 5/28/2016 . Minute Order dated 1/25/2016 from the hearing on the petition for letters of administration set the matter for a Status Hearing on 5/23/2016 for filing of the final inventory and appraisal.	NEEDS/PROBLEMS/COMMENTS: 1. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b), or verified Status Report and proof of service of notice of the Status Hearing pursuant to Local Rule 7.5(B), including notice to GERALD TOMASSIAN per the <i>Request for Special Notice</i> filed 12/3/2015.
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Aff.Sub.Wit.			
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Inventory	X		
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Notice of Hrg			
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FTB Notice			

Reviewed by: LEG
Reviewed on: 5/17/16
Updates:
Recommendation:
File 12- Hudson

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 10/6/2015	BRYAN BRUNO , son, was appointed executor with full IAEA without bond on 2/1/2016.	NEEDS/PROBLEMS/COMMENTS:
		1. Need inventory and appraisal or current written status report pursuant to Local Rule 7.5, which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the status report shall be served on all necessary parties.
Cont. from	<i>Letters issued 2/1/2016.</i>	
Aff.Sub.Wit.	Minute order dated 2/1/2016 set this status hearing re: the filing of the inventory and appraisal.	
Verified		
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Video Receipt		
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Aff. Posting		Reviewed by: SEF
Status Rpt		Reviewed on: 5/17/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 13- Bruno

Petition for Authorization for Trustee to Expend Trust Assets for Reimbursement of and Approval for Expenses, and for Approval of Attorneys' Fees

		<p>CAROLYN YOUNG, Trustee, with bond of \$334,000.00, is Petitioner.</p> <p>Petitioner states she is the current trustee of the Jovani Youssef Settlement Trust established pursuant to Probate Code §3600, et seq., by order of Fresno County Superior Court on 8/20/15 in 10CECG03582.</p> <p>The Trust was funded with \$290,055.42 on 10/6/15. The trust will become revocable and likely terminate on 10/9/27. The beneficiary is a minor who currently lives with his maternal grandparents in Egypt. His mother passed away five days after giving birth to Jovani. Jovani's father, Romani Youssef, currently lives in Fresno.</p> <p>Petitioner seeks authorization from this Court to expend assets in the amount of \$32,113.20 to reimburse Romani Youssef for 50% of his personal funds expended in the amount of \$64,226.41 for necessary expenditures for the benefit of Jovani prior to the establishment of the trust as follows:</p> <ul style="list-style-type: none"> • 12 MoneyGrams sent to Egypt between 4/4/11 and 12/29/14 totaling \$6,011.41 (see attached copies of MoneyGrams); • Cash of \$1,500.00 carried to Egypt by friends (see attached letters from friends who carried cash); • \$1,380 for a roundtrip airline ticket from Los Angeles to Alexandria on 5/31/11 to 6/11/11 for Mr. Youssef to visit Jovani (see attached travel itinerary); • An additional \$55,335.00 was spent for Jovani and his grandparents to travel to and from Egypt (\$14,100), additional travel expenses (\$3,135), childcare expenses (\$14,000); lost wages when Mr. Youssef travelled to Egypt (\$15,000), long distance phone bills (\$5,100), pre-school expenses (\$4,000) (see attached itemization) <p align="center"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center"><u>SEE ADDITIONAL PAGES</u></p> <p>Note: An additional declaration was filed 5/12/16 by Trustee Carolyn Young. See last page.</p>																																																																			
<p>Cont. from 031416, 042516</p> <table border="1"> <tr> <td></td> <td>Aff.Sub.Wit.</td> <td></td> </tr> <tr> <td>✓</td> <td>Verified</td> <td></td> </tr> <tr> <td></td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td>✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td>✓</td> <td>Aff.Mail</td> <td>W</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td></td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td>✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>					Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	W		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation		
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			<p>Reviewed by: skc</p> <p>Reviewed on: 5/18/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14- Youssef</p>																																																																			

Page 2

Petitioner states all of these expenses directly result from the loss of Jovani's mother and the need for him to live in Egypt with his grandparents. Jovani's father as a single working parent cannot provide the proper home environment to raise a small child and the best option for Jovani's future is for him to live with his caring grandparents. Unfortunately, the distance of their home and the costs involved in supporting Jovani there are significant.

Due to the extraordinary nature of Jovani's living situation and the costs associated therewith, Petitioner requests that Mr. Youssef be reimbursed 50% of the \$64,226.41, or \$32,113.20, for disbursements he made using personal funds for the benefit of Jovani.

Request for authorization to expend trust assets for ongoing expenses: Petitioner states currently, Jovani's maternal grandparents provide for all his needs. They pay for Jovani's schooling, his psychotherapy, and all of his living expenses. The estimate for the annual expenses is \$25,000. Petitioner seeks authorization to expend trust assets in the amount of \$3,125 every three months to finance 50% or \$12,500 of the estimated annual expenses for Jovani's needs and benefits. The other 50% will be financed by his father and his maternal grandparents.

Attorneys' fees: Petitioner states the trustee has engaged the services of the Dale Law Firm in preparation of this petition and its presentation to the Court. The law firm is entitled to reasonable compensation.

Declaration filed 2/22/16 requests ~~\$2,106.66~~ \$1,890.00 as follows:

- Legal fees of \$1,470 for 7 paralegal hours @ \$150/hr and 1.4 attorney hours @ \$300/hr, for correspondence, case review, preparation of this petition
- ~~— Costs of \$216.66 for overnight mailing, photocopies, court call appearance, etc.~~
(Costs eliminated per Declaration filed 4/6/16.)
- Anticipated fee of \$450.00 for 1 hour of attorney time and 1 hour of paralegal time that will be further expended in preparing for and appearing at the hearing.
- Unspecified credit of \$30.00.

Petitioner prays that this Court find and order as follows:

1. That notice of hearing for this matter has been given as required by law;
2. That the Court authorize the Trustee of the Jovani Youssef Settlement Trust to reimburse Mr. Youssef in the amount of \$32,113.20 for disbursements made from personal funds for the benefit of Jovani;
3. That the Court approve quarterly disbursements from the Jovani Youssef Settlement Trust in the amount of \$3,125 for Jovani's ongoing needs;
4. That the Court authorize and direct Petitioner to pay from the Jovani Youssef Settlement Trust to the Dale Law Firm reasonable compensation for legal services as set forth in the declaration; and
5. For such other order and relief as the Court deems proper and just.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

Note: Examiner notes previously noted that the minor's maternal grandparents, with whom he resides in Egypt, had not been identified or served. They have now been identified and properly served.

Note: Examiner notes previously requested information about the Trustee. Declaration filed 4/6/16 states she is a professional fiduciary and provides her office address in Sacramento, CA.

Note: Examiner notes previously noted that the petition provided the initial funding amount \$290,055.42, but did not indicate how funds were held or current balance. **Declaration filed 4/6/16 states** the balance as of 1/31/16 was \$271,322.14, and describes that disbursements have been made for bond premium of \$1,262.00, \$3,500.00 in attorney fees to Dale Law Firm, plus \$435.00, and reimbursement to Petitioner of \$3,060 for Jovani's school. The difference of roughly \$10,000.00 represents a loss of investments in the stock market.

Examiner's Note: *Was the \$3,500.00 paid to the Dale Law Firm authorized by the Court?*

Declaration filed 4/21/16 states fees were paid pursuant to a representation agreement between the Dale Law Firm and Romani Zakaria Youssef and Antonne Youssef, Jovani's father and uncle, for preparation of and assistance with the establishment of the Jovani Youssef Settlement Trust. Inasmuch as the Dale Law Firm was not representing the Trustee, court approval was not required.

Note: Examiner notes previously requested receipts from Jovani's grandparents for the \$7,511.41 in MoneyGrams and cash delivered by friends and the \$14,000.00 paid to them for child care expenses. Attached to the Declaration filed 4/6/16 are receipts from the purchase of the MoneyGrams and letters from the friends who delivered funds (total receipts \$7,511.41). However, the Declaration states Petitioner does not have receipts for the \$14,000.00.

Note: Examiner notes previously requested clarification regarding the \$15,000 requested for lost wages for Petitioner's visits to Egypt to see his son, itemized as "3 weeks off from work for each trip x 3 trips - \$15,000.00." Declaration filed 4/6/16 explains that Petitioner works as a card dealer at Chukchansi Gold Resort and Casino. He is paid hourly and tips, and receives no compensation if he does not work. Attached are wage statements and airline receipts for various trips.

Note: Examiner notes previously requested clarification regarding the **\$5,100.00 in long distance phone bills**, itemized as phone/skype/internet at \$85/month for five years, as this amount appears to be a typical household monthly expense regardless of the minor residing in Egypt. Declaration filed 4/6/16 states were it not for the fact that Jovani lives abroad, his father would not need to skype and have phone calls with his son and in-laws on a regular basis. This communication is vital and valuable for all parties, particularly for Jovani's emotional well-being. **Update: See Declaration filed 5/12/16 states he did not spend \$5,000 for long distance charges, rather it was \$500.**

SEE ADDITIONAL PAGES

Page 4 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

Note: Examiner notes previously questioned the \$4,000 paid for pre-school ("\$1,000/year x 3 years (paid by father in law?)." Declaration filed 4/6/16 states Petitioner reimburses Jovani's grandfather, who pays the expenses. Attached is a fee statement for the school indicating 6,000 L.E. (6,000 Egyptian pounds) dated November 2015.

Note: Examiner notes previously requested further information regarding the minor's current support situation with reference to a parent's duty to support his or her minor child and with reference to any other income/support available to the minor or caregivers. Are there any formal custody or support agreements or orders or public or other assistance in place or being received? If so, by whom and from whom?

Declaration filed 4/6/16 states with the passing of Jovani's mother, the burden of child support shifted from both parents to Jovani's father, now a single parent. There are no custody or support agreements in place because Petitioner remains his guardian. Jovani's trust was funded with settlement proceeds resulting from the loss of his mother, so trust funds can appropriately be used to supplement Jovani's care and support needs. If not for the loss of his mother, the expenses associated with his care in Egypt would not be necessary as Jovani would be living with and supported by his parents. Tragically, that is not the case.

Note: Examiner notes previously requested information regarding the request for quarterly support payments payable to Petitioner, when Jovani is not in Petitioner's care. **Declaration filed 4/6/16 states** the quarterly support payments will be paid to Petitioner as reimbursement, as he will have advanced funds to Jovani's grandfather.

Note: Examiner notes previously stated the Court may require authority and/or other relevant details regarding the trust and payments and support therefrom that may be relevant due to the minor permanently residing outside of the State of California in a foreign country. Declaration filed 4/6/16 states there is no legal authority stating that a beneficiary of a settlement trust has to reside in California. Jovani's place of residence has no implication on the administration of the trust, so long as it is used for the sole benefit of Jovani.

Page 5

Declaration filed 5/12/16 in response to the Court's concerns raised during the hearing on 4/25/16 re Mr. Youssef's employment and long distance phone charges states:

Employment: Mr. Youssef was employed by Chukchansi Casino for 12 years prior to the casino closing in October 2014. Initially, the casino informed employees it would re-open after three months. When that did not occur, Mr. Youssef undertook a 3-month workforce retraining program to make himself marketable, and then sought employment both outside of and within the casino/gaming industry, to no avail. During the time he was out of work, he spent a month in Egypt with Jovani, and brought Jovani back to the US to stay with him for a month. During this time, he also spent considerable time engaged with legal proceedings involving the wrongful death case for Jovani's mother. Mr. Youssef returned to work at Chukchansi when the casino reopened in December 2015.

Long distance charges: Due to a misunderstanding, Mr. Youssef did not spend \$5,000 for long distance charges; rather, he spent \$500. These funds were used to pay for phone cards used by Jovani's grandparents in Egypt to establish the long distance telephone connection for Jovani to speak with his father in California. Because internet service in Egypt is unreliable and Jovani's grandparents' computer is old and out of date, the Skype connection cannot always be established.

Note: The Court will set status hearings as follows:

- **Monday, December 5, 2016 for the filing of the first account**

If the proper items are on file, the status hearings may come off calendar. See Local Rule 7.5.

16 Mary Bowles (Det. Succ)**Case No. 16CEPR00213**

Petitioner: Tina K Hawkinson (Pro per – Daughter)

Petitioner: Theresa Horg (Pro per – Granddaughter)

Amended Petition to Determine Succession to Real Property

DOD: 7/31/2011		Petitioners are: TINA K. HAWKINSON (daughter) THERESA HORG (granddaughter) 40 days since DOD No other proceedings I&A - \$110,000.00 (real property) Decedent died intestate Petitioners request court determination that decedent's 100% interest in real property located at 5159 E. Balch Avenue in Fresno, CA pass to them in equal (50%) shares, pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS: 1. Item 9a(3),(4) is not checked regarding if decedent is survived by a registered domestic partner. 2. Item 9a(2)(b) of petition shows decedent has a deceased spouse. Need date of death of deceased spouse pursuant to Local Rule 7.1.1D. 3. Order is incomplete. Need new order.
Cont. from			
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<input checked="" type="checkbox"/>	Inventory		
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Reviewed by: SEF
Reviewed on: 5/17/2016
Updates:
Recommendation:
File 16- Bowles

Petition to Determine Succession to Real Property

DOD: 10/4/14		ANTONIO GONZALES and ROSE PINEDA are Petitioners. (Relationship not stated) 40 days since DOD No other proceedings I&A: \$69,608.00 (not verified by Petitioners, not signed by attorney) (Assets consist of real property in Coalinga, CA, vehicles, accounts.) Decedent died intestate Petitioners request ??? (no Attachment #13)	NEEDS/PROBLEMS/COMMENTS: Continued from 4/25/16. 1. The petition is blank at #9a(3) and (4) re registered domestic partner. 2. Need Attachment #11, which should provide the legal description of the real property, a description of the personal property, and state the decedent's interest in all assets. 3. Need Attachment #13, which should state the specific property interest claimed by each petitioner. 4. Need Attachment #14, which should list all heirs (names, ages, relationships) pursuant to Probate Code §13152(a)(7). If deceased, need date of death pursuant to Local Rule 7.1.1.D. 5. The Inventory and Appraisal attached to the petition is not verified by the petitioners or signed by the attorney. 6. If there are other persons listed at Attachment #14, need notice to those entitled. 7. Need revised proposed order with attachments 9a and 9b. (Attaching only the I&A descriptions is not appropriate.)	
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			Reviewed by: skc	
			Reviewed on: 5/17/16	
			Updates:	
			Recommendation:	
			File 17- Gonzales	

Petitioner Orosco, Rachael (Pro Per – Paternal Grandmother)

Petition for Appointment of Guardian of the Person (Initial)

Age: 1		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>RACHAEL OROSCO, paternal grandmother, is petitioner.</p> <p align="center"><u>Please see additional page</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> Maternal Grandfather (Unknown) 	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
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✓	CI Report			
	9202			
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	Citation			
	FTB Notice			
<p>Reviewed by: LV</p> <p>Reviewed on: 05/18/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18- Gonzales</p>				

Petitioner Stephen D. Anderson (Pro Per, maternal grandfather)
 Petitioner Ann P. Anderson (Pro Per, maternal grandmother)

Petition for Appointment of Guardian of the Person and Estate

		TEMPORARY GRANTED EX PARTE EXPIRES 3/30/2016; extended to 5/23/2016	NEEDS/PROBLEMS/COMMENTS: Note for background: Minute Order dated 3/30/2016 from the hearing on the temporary petition states Dolyna Evans, paternal grandmother, represents that she sees no danger resulting from Jason Hunt, father, being served for the general hearing in his current condition. Petitioners report that at this time the medical examiner has not yet determined the cause of death of the mother, but has stated that there were no external factors of death. The Court directs that Jason Hunt is to be properly served for the general hearing on 5/23/2016. The Court orders that there shall be no visitation for Jason Hunt until he appears before the Court. Michael Hunt, paternal grandfather, and Dolyna Evans may visit as mutually agreed by all parties. ~Please see additional page~
		STEPHEN D. ANDERSON and ANN P. ANDERSON, maternal grandparents, are Petitioners.	
Cont. from		Estimated Value of the Estate: TBD	
	Aff.Sub.Wit.		
✓	Verified	~Please see Petition for details~	Court Investigator's Report was filed on 5/16/2016.
	Inventory		
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	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 5/17/16
			Updates:
			Recommendation:
			File 19- Anderson

NEEDS/PROBLEMS/COMMENTS, continued:

1. Petitioners state that the current value of the mother's estate, life insurance policies, etc., are unknown at this time. Item 7 of the *Petition* regarding character and estimated value of the estate indicates the estate is "to be determined." The Court cannot exercise oversight of property of the child that is not currently existing nor anticipated to be received by the child in the near future. Unless the Petitioners know or have reason to know of life insurance funds or an inheritance that will with certainty be soon received by the child from an identified and specific source that Petitioner can demonstrate to the Court, the petition for guardianship of the estate should be denied and dismissed for lack an estate of the child at this time. Need information regarding the character and estimated value of the child's estate, if any.

Note: If petition for Guardianship of the Estate is granted, Court will set status hearings as follows:

- **Thursday June 23, 2016 at 9:00 a.m. in Dept. 303 for receipt of funds in blocked account;**
- **Thursday, September 22, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and**
- **Thursday July 20, 2017 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.**

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

20 Trust Created by Bernadette A. Zimmerer (now Bernadette A. Pachetta) dated 12/12/1978

Case No. 16CEPR00368

Attorney Nicholas L. Lucich, Jr. (for Petitioner Boyd C. Zimmerer, Trustee)

Petition for Order Approving Modification of Trust Based on Consent of Grantor and Beneficiaries and Due to Changed Circumstances

			BOYD C. ZIMMERER , son and Trustee, is Petitioner. <i>~Please see Petition for details~</i>	NEEDS/PROBLEMS/COMMENTS:
Cont. from				
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✓	Notice of Hrg			
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: LEG	
			Reviewed on: 5/18/16	
			Updates:	
			Recommendation:	
			File 20- Zimmerer	

Petition to Appoint Successor Trustee

Charles Wade DOD: 2/25/02		KEVIN WADE , Sole Beneficiary, is Petitioner. Petitioner states following the death of the Trustors, the trust designates Steven Wade, Dottie Avery, and Linda Champion to serve as co-trustees. Linda Champion predeceased Wanda Wade, and because Dottie Avery had been diagnosed with dementia, Steven Wade served as sole trustee. Steven Wade died on 3/9/16. The trust now lacks a trustee. Because Steven Wade died without issue, Petitioner is the sole beneficiary. By execution of this petition, Petitioner designates JAMES PINEDO as trustee of the Wade Family Trust. Agreement to Serve as Trustee signed by Mr. Pinedo was filed concurrently with this petition on 4/4/16. Petitioner prays for an order: 1. Appointing James Pinedo as Trustee of the Wade Family Trust dated 1/22/01, and vesting him with all the powers vested in the office of the trustee under the trust instrument; 2. For costs herein; and 3. For such other orders as the Court may deem proper.	NEEDS/PROBLEMS/COMMENTS: 1. Pursuant to Probate Code §15602, an individual not named as a trustee in the trust may be required to bond unless waived by all beneficiaries. Petitioner does not address bond in this petition. If bond will be required, need estimated value of trust, and the Court will set a status hearing for the filing of the bond.	
Wanda Wade DOD: 2/25/14				
Linda Champion DOD: 11/29/03				
Steven Wade DOD: 3/9/16				
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			Reviewed by: skc Reviewed on: 5/18/16 Updates: Recommendation: File 21- Wade	

Petitioner Gretta Christa (Pro Per, daughter)

Petition for Appointment of Temporary Conservator of the Person

		<u>GENERAL HEARING SET FOR 6/2/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		GRETta CHRISTA , daughter, is Petitioner and requests appointment as Conservator of the Person.	<ol style="list-style-type: none"> <i>Medical Capacity Declaration</i> filed 4/18/2016 is marked at Item 7(b) to indicate that the proposed Conservatee lacks capacity to give informed consent to medical treatment, but the declaration is not initialed by the physician as required to support the Petitioner's request for medical consent powers. Need revised <i>Medical Capacity Declaration</i> that supports the request for medical consent powers to be filed with the Court prior to the general hearing set for 6/2/2016. Need proposed order (proposed letters have already been submitted.)
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			Reviewed by: LEG
			Reviewed on: 5/18/16
			Updates:
			Recommendation:
			File 24- Petrossian

